PTO/SB/21 (02-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE aperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** RADE 10/613,348 Filing Date TRANSMITTAL July 3, 2003 **FORM** First Named Inventor Gary Sederholm Art Unit (to be used for all correspondence after initial filing) 3738 Examiner Name Unknown Attorney Docket Number 101-454 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form to Technology Center (TC) Drawing(s) Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Identify below): **Extension of Time Request** Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) PTO-1449 Partial European Search Report Foreign References Response to Missing Parts/ Incomplete Application Return Receipt Postcard Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Jonathan D. Feuchtwang, Reg. No. 41,017

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

DeniseMoani Nelson

Date

December 16, 2004

Zimmer Technology, Inc.

December 16, 2004

Individual name Signature Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Sederholdm et/al

Serial No.:

10/613,348

Filed:

July 3, 2003

For:

MODULAR HIP PROSTHESIS

Art Unit:

3738

Examiner:

Unknown

I hereby certify that this paper is being deposited with the United States Postal Service as FIRST-CLASS mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313A\$\frac{1}{2}50\text{, on this date.}

December 16, 2004

Date

Attorney for Applicants

Registration No. 41,017

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This IDS is submitted under 37 C.F.R. §1.97(c), after the C.F.R. §1.97(b) time period, but before the mail date of a Final Office Action or a Notice of Allowance (whichever occurs first), with either:

- (a) a statement under 37 C.F.R. §1.97(e); or
- (b) the \$180.00 fee under 37 C.F.R. §1.17(p).

Applicant(s) submit herewith Form PTO-1449 (Information Disclosure Citation) together with copies of patents, publications or other information of which applicant n(s) are aware, which applicant(s) believe may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 C.F.R. §1.56. Applicant(s) respectfully submit that the citation of any reference on Form PTO-1449 does not constitute an admission that the reference qualifies as prior art.

It is requested that the information disclosed on the enclosed Form PTO-1449 be made of record in this application.

## (X) Statement Under 37 C.F.R. §1.97(e):

- (X) The enclosed references were cited in a Communication issued by the European Patent Office (copy enclosed). Applicant(s) hereby certify(ies) that each item of information cited on the enclosed Form PTO-1449 was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement.
- (X) Applicant(s) hereby certify(ies) that no item of information cited on the enclosed Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing below after making reasonable inquiry, no item of information cited on the enclosed Form PTO-1449 was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ( ) Enclosed is a check for \$180.00 to cover the fee as set forth in 37 C.F.R. § 1.17(p).

The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. §§1.16-1.17, or to credit any overpayment, to Deposit Account No. 50-2779. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

150 North Wacker Drive - Suite 1200

Chicago, Illinois 60606 Telephone: (312) 372-2859 Facsimile: (312) 372-2906

Customer No. 37235

ZIMMER TECHNOLOGY, INC.

Jonathan D. Feuchtwang, Reg. No. 41, 017

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Substitute for form 1449/ADEMARK

Sheet 1

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known				
Application Number	10/613,348			
Filing Date	July 3, 2003			
First Named Inventor	Gary Sederholm			
Art Unit	3738			
Examiner Name	Unknown			
Attorney Docket Number	101-454			

			U. S. PATENT	F DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2 (f known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		<sup>US-</sup> 2003/074078	04/17/03	Hammill et al	See Report
		<sup>US-</sup> 5,858,020	01/12/99	Emery et al	Figs 1, 4, 6
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Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
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Examiner	Date	
Signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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